IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

Case No. 7:16-cv-30

BONNIE PELTIER, as Guardian :

of A.P., a minor child, et al.;
: PLAINTIFFS' MOTION FOR
: ENTRY OF PARTIAL FINAL

Plaintiffs, : JUDGMENT UNDER RULE

54(b), DECLARATORY

v. : JUDGMENT, AND

PERMANENT INJUNCTION

CHARTER DAY SCHOOL, INC., et al.;

:

Defendants.

:

Plaintiffs, by and through counsel, hereby move the Court to issue final judgment, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, as to both Plaintiffs' Equal Protection claim and their Title IX claim. Plaintiffs also seek issuance of a permanent injunction and formal entry of declaratory judgment on Plaintiffs' Equal Protection claim, enforcing the Court's holding that the Skirts Requirement violates the Equal Protection Clause. For the reasons stated in Plaintiff's supporting brief being filed with this motion, Plaintiffs therefore respectfully request that the Court issue (1) a final judgment as to (a) Plaintiffs' Equal Protection claim and (b) Plaintiffs' Title IX claim, (2) an injunction on Plaintiffs' Equal Protection claim, (3) and a declaratory judgment on Plaintiffs' Equal Protection claim. Plaintiffs also respectfully request that the Court award

Plaintiffs (1) the sum of one dollar (\$1.00) each in nominal damages, and (2) costs pursuant to Federal Rule of Civil Procedure 54(d)(1).

Dated: July 3, 2019 Respectfully submitted,

ELLIS & WINTERS LLP

/s/ Jonathan D. Sasser

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AMERICAN CIVIL LIBERTIES UNION FOUNDATION

/s/ Galen Sherwin (with permission)

Galen Sherwin

(LR 83.1(a) special appearance)

Amy Lynn Katz

(LR 83.1(a) special appearance)

Emma Roth

(LR 83.1(a) notice of special appearance

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing **Motion for Entry of Partial Final Judgment under Rule 54(b), Declaratory Judgment, and Permanent Injunction** with the CM/ECF system, which will send electronic notification to counsel of record for all parties.

Dated: July 3, 2019 Respectfully submitted,

/s/ Jonathan D. Sasser

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